REMARKS

Applicant's representative would like to thank Examiner Vu for the courtesies extended during a telephone interview on August 1, 2005. During the interview, the Examiner agreed that the pin (78) of Fair et al. (U.S. Pat. No. 5,984,791) does not prevent movement of the arm relative to the support.

Claims 36-56 are now pending in the application. By this paper, Claim 36 has been amended to provide proper antecedent basis. The claim has not been narrowed in scope. The basis for the amendment may be found throughout the specification, drawings, and claims as originally filed. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the remarks contained herein.

IN THE SPECIFICATION

The specification has been amended to address clerical errors. Entry of these amendments is respectfully requested. No new matter has been added.

REJECTION UNDER 35 U.S.C. § 102

Claims 36-40, 43-44 and 47-56 are rejected under 35 U.S.C. § 102(b) as being anticipated by Fair et al. (U.S. Pat. No. 5,984,791). This rejection is respectfully traversed.

Independent Claims 36 and 52 respectively call for a seat hinge assembly and a seat assembly including a sliding pin preventing movement of an arm relative to a support in a locking position. In addition, Claims 36 and 52 call for a drive shaft that

rotates from a first position to slide along a first slot to move the sliding pin from the locking position without moving the arm relative to the support and in a second position to move the arm relative to the support.

Independent Claim 44 calls for a shaft disposed within an elongated slot of a support to interface an arm as the shaft slides in the elongated slot to move a sliding pin from a first position to a second position before driving the arm to move relative to the support.

Fair shows an infant swing that is battery operated. In order to move the infant swing in a swinging motion, a drive motor (80) provides rotational motion to a toothed wheel (90). See Fair et al., col. 5, lines 31-36. An elongated slotted housing (92) is pivotally mounted to the toothed wheel (90). See Fair et al., col. 5, lines 36-39. As the toothed wheel (90) rotates, the slotted housing (92) moves and causes a lever pin (78) to move reciprocally. See Fair et al., col. 5, lines 45-47. The lever pin (78) is part of a lever (72) that is connected to an axle (70). See Fair et al., col. 5, lines 22-24. The axle (70) is connected to a hanger arm (30) of the swing seat (32) and causes pivotal movement of the seat (32) in response to reciprocal movement of the lever pin (78). See Fair et al., col. 4, lines 64, 66-67. The lever (72) has a lever blade or flag (74), which is located in a position to swing in and out of a blocking position for a light switch (76). See Fair et al., col. 4, line 67 – col. 5, lines 1-3. The light switch (76) provides a signal to an electronic circuit (84), which varies the drive signal to the motor (80) based upon the speed setting and the signal from the light switch (76). See Fair et al., col. 5, lines 60-64; lines 1-4; col. 6, lines 9-13.

Fair fails to disclose a sliding pin that prevents movement of an arm relative to a support in a locking position. The lever pin (78) shown in Fair, which is characterized as a "sliding pin" by the Examiner, is moved due to reciprocal movement of the elongated housing (92). As the lever pin (78) moves, the lever (72) connected to the lever pin (78) causes the axle (70) to rotate and the hanger arm (30) to move pivotally about its axis of rotation. Therefore, the lever pin (78) shown by Fair does not operate to prevent movement of the arm (30) relative to the support in a locking position. Rather, the lever pin (78) *causes* movement of the arm (30) relative to the support.

Fair fails to disclose a drive shaft that is operable to move a sliding pin from a *locking position*. Applicant respectfully notes that the lever pin of Fair does not have a "locking position". The lever pin (78) merely traverses a slot formed in housing (92) in response to movement of toothed wheel (90). As such, the pin is essentially free to traverse the slot of housing (92).

Fair also fails to show a drive shaft that moves a sliding pin from a locking position without moving the arm relative to the support in a first position and moves the arm relative to the support in a second position. Springs (94) are disposed within the elongated slotted housing (92) to accomplish a lost motion effect whereby the lever pin (78) and hanger arms (30) are not always moving, even if the elongated housing (92) is moving. However, the lever pin (78) and lever (72) are fixedly attached to the hanger arm (30) so that whenever the lever pin (78) is moving, the hanger arms (30) are also moving. Therefore, Fair does not show a structure that causes the lever pin (78) to slide along its slot in a first position *without* moving the arm (30).

Because Fair fails to teach a sliding pin that prevents movement of an arm relative to a support in a locking position, and further, because Fair fails to teach a drive shaft that rotates from a first position, and slides along a first slot to move the sliding pin from the locking position without moving the arm relative to the support, to a second position to move the arm relative to the support, Applicant respectfully submits that Fair fails to teach each and every element of the present invention. Accordingly, Applicant respectfully submits that independent Claims 36, 44, and 52, as well as Claims 37-40, 43, 47-51, and 53-56, dependent therefrom, are in condition for allowance. Therefore, reconsideration and withdrawal of the rejection is respectfully requested.

ALLOWABLE SUBJECT MATTER

The Examiner states that Claims 41-42 and 45-46 would be allowable if rewritten in independent form. Applicant has not amended the claims to include the allowable subject matter as Claims 36-56 are believed to be in condition for allowance in the light of the foregoing remarks.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the

Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

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